EPA United States Environmental Protection Agency

Region 9 Enforcement Division
75 Hawthorne Street
San Francisco, CA 94105

Inspection Date(s):	9/28/15		
Time:	**Entry:** 9:30	**Exit:** 11:45	
Media:	Water		
Regulatory Program(s)	Clean Water Act NPDES /CAFO Dairy		
Company Name:	Falloncrest Farms / John Weststeyn Cattle		
Facility or Site Name:			
Facility/Site Physical Location:	**Ex. 6 Personal Privacy (PP)**		
Geographic Coordinates:			
Mailing address:			
Facility/Site Contact:	Ron Pietersma		**Title**: Owner/ Operator
	Phone: Ex. 6 Personal Privacy (PP)		**Email**:
	John Weststeyn		Operator
Facility/Site Identifier:	NPDES CAG018001 / Order R8-2013-0001, General waste discharge requirements for CAFOs (dairies and related facilities)		
NAICS:	112120 Dairy Cattle and Milk Production		
SIC:	0241 Dairy Farms		

Facility/Site Personnel Participating in Inspection:

Name	Affiliation	Title	Email
John Weststeyn	John Weststeyn Cattle	Operator	

EPA Inspector(s):

John Tinger	EPA	Engineer	Tinger.John@EPA.gov

Federal/State/Tribal/Local Representatives:

Edward Kashak	WRCB-R8	Engineering Geologist	ekashak@waterboards.ca.gov
Jawed Shami	WRCB-R8	Engineer	jshmi@waterboards.ca.gov
Cindy Li	WRCB-R8	Manager	Cindy.Li@waterboards.ca.gov

Inspection Report Author:	John Tinger	415 972-3518
		Date:
Supervisor Review:		
	Ken Greenberg	415-972-3577
		Date:

SECTION I – INTRODUCTION

I.1 Purpose of the Inspection

The purpose of the inspection was to ensure compliance with the NPDES permit and applicable Federal regulations covering the discharge of wastewaters into waters of the United States.

Inspections were conducted jointly with the Regional Water Quality Control Board.

The facility has applied for coverage under NPDES CAG018001 / Order R8-2013-0001, General waste discharge requirements for CAFOs (dairies and related facilities) within the Santa Ana Region.

SECTION II – FACILITY / SITE DESCRIPTION

II.1 Facility Description

According to the EWMP, the facility is 117 acres with 93 acres of corrals. The original EWMP for the site was prepared for the former owner, the Stueve Gold Dairy. The property is currently owned by Ron Pietersma and contains two large CAFOs, Falloncrest Farms on the east side of the property and John Weststeyn Cattle on the west side of the property.

Ponds are located in the southwest corner of the facility. Washwater from the milk barn gravity drains via underground pipes to the north pond. At the time of the inspection, washwater was actively flowing into the northern pond. Stormwater from the corrals generally flows in a southerly direction and flows into either the northern or southern pond. Wastewater from the storage ponds is pumped to an additional pond approximately 1 mile south of the facility, where the wastewater is used to irrigate cropland.

The EWMP is designed for 3000 milking cows, and 400 dry cows and heifers. The EWMP calculated a need for 56 acre-ft of storage. Based on the EWMP, the on-site ponds have a design capacity of 45 acre-ft, and the offsite pond has a capacity of 16 acre-ft.

II.2 Compliance History

On August 18, 2014, the RWQCB issued notices of violation (NOV) to Falloncrest Farms and to John Weststeyn Cattle for the following violations observed during the August 5, 2014 inspection:

- The discharger was not properly maintaining containment structures including: Basin 1 had an accumulation of solids and vegetation;
- the spillway had manure, soil and concrete rubble placed across the opening;
- the west berm had manure, soil and unconsolidated material placed on the berm;
- Basin 1 and 2 did not have pond markers installed.

On September 22, 2011, EPA issued Findings of Violation and Order for Compliance (CWA-309(a)-11-030) to John Weststeyn Cattle and to Falloncrest Farms based on compliance inspection conducted December 9, 2010. The violations cited included failure of the facility:

- to design, construct and/or maintain adequate containment structures;
- to adequately develop, certify and/or fully implement EWMP;
- to minimize or prevent discharge;
- to properly operate and maintain all facilities;
- to maintain and make available all monitoring data for past 5 years.

On February 3, 2011, the RWQCB issued notices of violation (NOV) to Falloncrest Farms and to John Weststeyn Cattle for observed discharge of wastewater based on inspection conducted December 21, 2010 during a storm event.

- The NOV concluded the discharge was in violation of the permit because the EWMP was not designed, constructed, operated and maintained to contain all manure, litter, and process wastewater for the design storm event.

On February 21, 2010, the RWQCB inspection found the following potential violations:

- The discharger had not fully implemented the facility EWMP.
- The discharger was not maintaining containment structures to retain all wastewater within the facility.
- All containment structures, including, but not limited to, ponds, berms, and wastewater distribution lines and systems, were not inspected or inspections were not documented weekly (or daily during storm event).

On November 4, 2009, the RWQCB inspection found the following potential violations:

- A copy of the accepted EWMP for the facility was not maintained on site.
- The discharger had not fully implemented its EWMP.
- The discharger did not maintain containment structures to retain all wastewater within the facility.
- A marker was not placed within each pond or impoundment to indicate the minimum capacity necessary to contain the runoff and direct precipitation of the 25-year, 24-hour rainfall event.

SECTION III – OBSERVATIONS

- NA

SECTION IV – AREAS OF CONCERN

The presentation of areas of concern does not constitute a formal compliance determination or violation.

- A broken water line was observed draining into the wastewater lagoon.
- Ponds appeared to contain excess accumulated sediment and were not being maintained to contain the design volume of the EWMP.
- At the maintenance area, numerous issues were observed of improper chemical storage, improper storage of used oil, evidence of oil leaks, improper storage of a battery, and general lack of housekeeping. The oil and chemicals had the potential to discharge to a stormwater drain which flows to the process wastewater ponds and to crop irrigation.

SECTION V – DOCUMENTS REQUESTED DURING INSPECTION AND ANALYTICAL RESULTS

Documents were not reviewed during the inspection.

APPENDICES

Appendix 1 – Inspection checklist

Appendix 2 – Photograph Log

Appendix 1- INSPECTION CHECKLIST

SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD
INSPECTION REPORT

OFFICE NO: _____
INSPECTOR:_____ PCA SYSTEM TASK NO.: _____

WDID No.	OWNER NAME	FACILITY NAME
CAG018001 NPDES No.	OWNER ADDRESS	FACILITY ADDRESS
Site ID	OWNER CITY, STATE & ZIP	FACILITY CITY, STATE & ZIP
Actual Date Inspected	OWNER CONTACT	FACILITY CONTACT
	OWNER PHONE NO.	FACILITY PHONE NO.

J Inspection Agency (S=STATE, J=JOINT STATE/USEPA)

INSPECTION TYPE (Check One)

A1___ "A" type compliance--Comprehensive inspection in which samples are taken. (EPA Type S)
B1 **X** "B" type compliance--A routine nonsampling inspection. (EPA Type C)
02___ Noncompliance follow-up--Inspection made to verify correction of a previously identified violation.
03___ Enforcement follow-up--Inspection made to verify that conditions of an enforcement action are being met.
04___ **C**omplaint--Inspection made in response to a complaint.
05___ Pre-requirement--Inspection made to gather info. relative to preparing, modifying, or rescinding requirements.
06___ Miscellaneous--Any inspection type not mentioned above. If this is an EPA inspection not mentioned above please note type. (e.g. biomonitoring, performance audit, diagnostic, etc.)

Y Were violations noted during this inspection? (Yes/No/Pending Sample Results)
N Was this a Quality Assurance-Based inspection?
N Were bioassay samples taken? (N=no) If YES then, S= Static or F= Flow through.
N Were water quality samples collected?

INSPECTION SUMMARY

The overall facility rating, on a 1 (unreliable) to 5 (reliable) scale, was determined to be 1 = unsatisfactory.

HISTORICAL INFORMATION (MOST RECENT):

Order No.	Adopted Date	Permit Type	Inspect Date	Inspection Type	Inspection Violations	Inspection Violation Type	Violation Date
R8-2013-0001	**6-7-13**	**NPDES**					

REVIEW OF FACILITY'S MOST RECENT ANNUAL REPORT

ANNUAL REPORT FOR: Jan 1, 2014 – Dec 31, 2014

ANIMAL POPULATION

Milk Cows: 0 Dry Cows: 0 Heifers: 3500 Calves: 0 Other: 0

MANURE INFORMATION

Amount of manure spread on cropland at the facility: 0 tons

Amount of manure hauled away from the facility: 5022 tons

Name(s) and address(es) of manure destination: Hauled by Three Brothers Farms to Chino State Prison, Chino CA for cropland.

ENGINEERED WASTE MANAGEMENT PLAN (EWMP) REVIEW

Did the inspector review the most recent EWMP on file? Yes

Did the facility operator have a copy of the EWMP available onsite?

Date EWMP originally prepared:

EWMP prepared by:

Regional Board EWMP Acceptance Date:

EWMP Certification Letter Date and Source:

Was EWMP fully implemented?

If not, list structures missing or deficient:

Other information related to the EWMP:

OPERATOR INSPECTION PARTICIPATION AND INPUT, AND DESCRIPTION OF WATER CONTAINMENT SYSTEM

EPA Inspector presented credentials and a short introduction meeting was held. Mr. Pietersma was not available, but Mr. John Weststeyn met with inspectors. Mr. Weststeyn did not accompany inspectors through the facility. A short close-out meeting was held to discuss preliminary findings with Mr. Westeyn. Operator was not provided advanced notice of inspection.

INSPECTION OBSERVATIONS

ANIMALS ONSITE DURING INSPECTION;
Milk Cows: 1000 Dry Cows, Heifers & Calves: 1000

INSPECTION SPECIFIC MANURE AND WASTEWATER INFORMATION:

DISCUSSION OF FACILITY HOUSEKEEPING:
Stockpiles of manure did not appear to have been present for more than 180 days
Some standing water observed along northern edge of corrals due to misting.

A broken water line was observed draining into the wastewater lagoon (see photos 8-9). Algae growth was observed both on the waterline hose and on the pavement downstream of the leak, indicating the presence of the leak for an extended amount of time.

At the maintenance area, numerous issues were observed of improper chemical storage, improper storage of used oil, evidence of oil leaks, improper storage of a battery, and general lack of housekeeping. A stormwater drain was located in front of the maintenance area (see photo 11):

Open containers of used oil were observed at several locations with potential to discharge to the stormdrain (see photos 11, 12, 16, 17, 18). At least one bucket had a label of "hydraulic oil". Evidence of oil stained soil and oil stained pavement was observed at several locations throughout the area (see photos 12, 15, 16).

An aboveground rectangular tank was observed with evidence of material leaked onto the ground that appeared to be oil (photo 13, 14, 15). The top of the tank could not be observed and it was unknown if the tank was open-topped or had any liquids stored inside. It was unclear the purpose the tank. "No smoking" was stenciled onto the side of the tank. The valve under the tank appeared to have leaked and the soil beneath the tank was stained.

Two 55 gallons barrels were observed without secondary containment with potential to discharge to the stormwater drain. The barrels were both approximately ½ full. One barrel was open due to a missing cap and was labeled "formaldehyde". The second barrel was open due to an installed pump system, and, while the label was partially unreadable, it appeared to be "sodium hypochlorite" brand name "HASACHLOR".

An engine was observed leaking oil onto the pavement with potential to discharge to the stormdrain (photo 22).

A battery was observed stored outside with potential to leak to stormdrain (photo 19).

Numerous unidentified containers of liquids were observed stored outside , some leaking, with potential discharge to stormdrain (photo 12, 21).

The area at the south end of the maintenance area is used for mixing feed in several concrete basins, including feedstock which may include old ice cream and other milk products (photo 28). The area around the feed area and pavement was stained with material that had the potential to discharge to the stormdrain. (photo 27, 28). The material was dark black but did not have a sheen and was determined to be feed material tracked out from the mixing tanks and was not oil. At the closeout meeting, the operator noted that curdled milk product can have the black appearance of oil.

TYPICAL DEPTH OF MANURE IN CORRALS:
DATE CORRALS WERE LAST SCRAPED: Operator indicated corrals will start being scraped during the coming week.
ESTIMATED FREEBOARD IN FULLEST LAGOON: 2.5'
DATE OF LAST LAGOON SOLIDS REMOVAL, PER FACILITY REPRESENTATIVE:

Ponds appeared to contain excess accumulated sediment and excess vegetation (see photos 2, 3, 4). At the time of the inspection, the operator stated the facility began removing solids from the northeastern corner of the north pond about 6 weeks prior to inspection. The area of solids removal was observed in a small portion of the northern pond (see photo 4). The remaining solids in the area appeared to be fairly wet. The operated stated removal of solids was currently suspended due to wet conditions in the basin which prevents a loader from working. The operator stated that they expect to have solids removal completed within about a month, provided the weather remains dry. The solids have been moved to the former calf ranch area to dry before hauling off site.

DISPOSAL LOCATION FOR LAGOON SOLIDS: Will be hauled with manure.

CONDITION OF BERMS AND CONTAINMENT STRUCTURES:

Berms appeared in satisfactory condition.

POTENTIAL VIOLATIONS (IF APPLICABLE)

- The discharger had not fully implemented the facility EWMP.

- All containment structures, including, but not limited to, ponds, berms, and wastewater distribution lines and systems, were not inspected weekly.

- The discharges is not preventing the discharge of chemicals, or other wastes that are not associated with the CAFO operations to the waste management facilities.

- Chemicals and other contaminants handled on-site may be disposed of in process wastewater ponds and crop irrigation areas which are not specifically designed to treat such chemicals and other contaminants.

DATE OF POTENTIAL VIOLATION:_____
DATE OF POTENTIAL VIOLATION DETERMINATION:_____

DESCRIPTION OF VIOLATION:

Appendix 2 – Photograph Log

The photographs were taken during the inspection by John Tinger. Original copies of the photos are maintained by EPA Region 9.

Photo 1: Facility overview

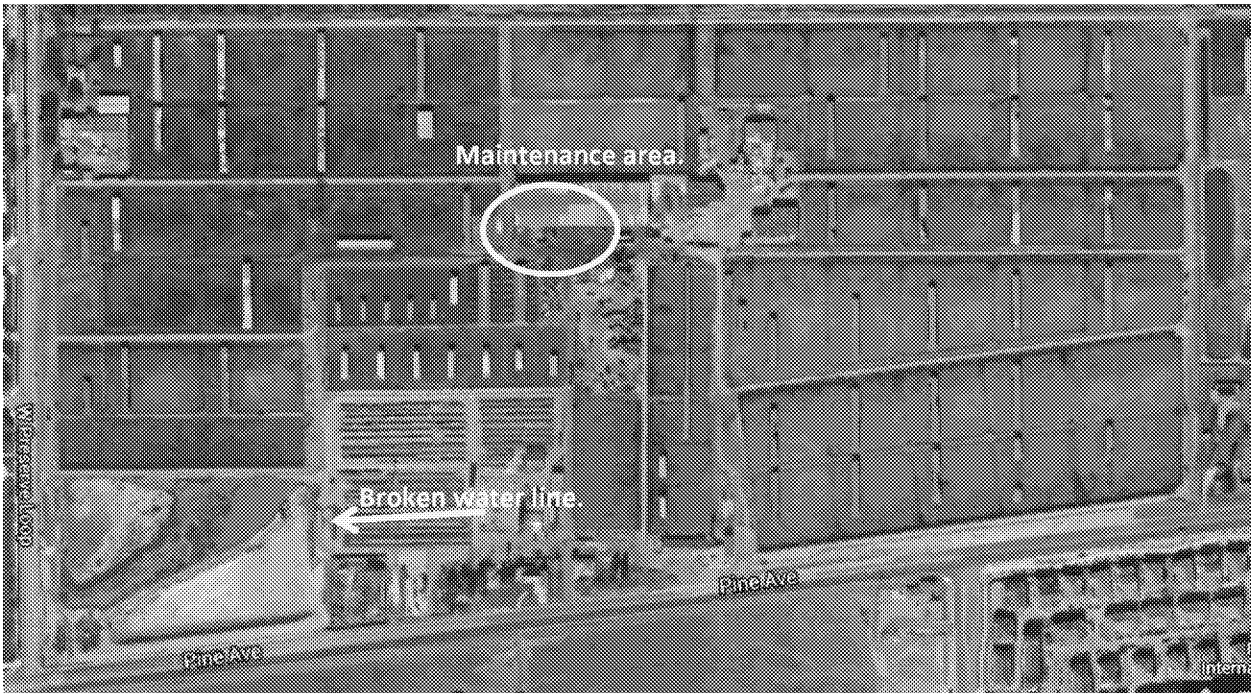

Photo 2: western edge of Northern Pond: excessive solids and vegetation in pond.

Photo 3: Northern edge of northern pond. Pond actively receiving washwater. View looking north. Excessive solids and vegetation in pond.

Photo 4: Eastern edge of Northern pond. Solids recently been removed.

Photo 5: southern pond.

Photo 6: southern pond; depth marker; pump in foreground

Photo 7: Washwater draining into Southern Pond at eastern boundary. View looking southwest

Photo 8: Broken water hose discharging to southern pond.

Photo 9: Broken hose discharging to southern pond.

Photo 10: berm along eastern edge of facility

Photo 11: Maintenance area

Photo 12: Maintenance area - detail of Photo 11: improperly stored used oil storage and materials storage.

Photo 13: Maintenance area : tank, leaking valve, spills and staining of soil

Photo 14: Maintenance area: detail of Photo 13: of leaking valve under tank.

Photo 15: Maintenance area: detail of photo 13: stained soil under tank.

Photo 16: Maintenance area. Southwest corner of maintenance shed. Oil stained soil, improper used oil storage, and improper material storage.

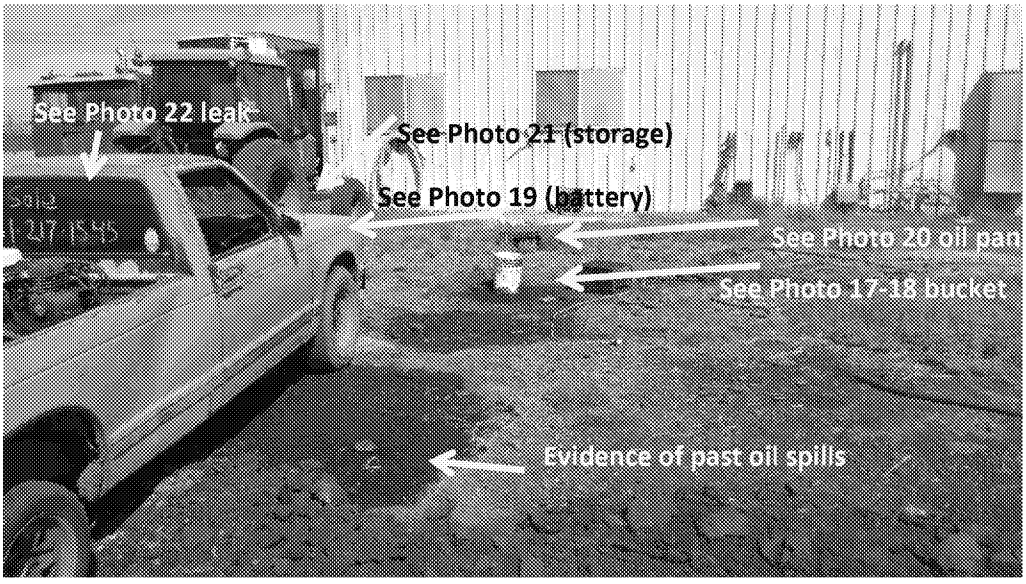

Photo 17 : Maintenance area : detail of photo 16: Bucket with used oil

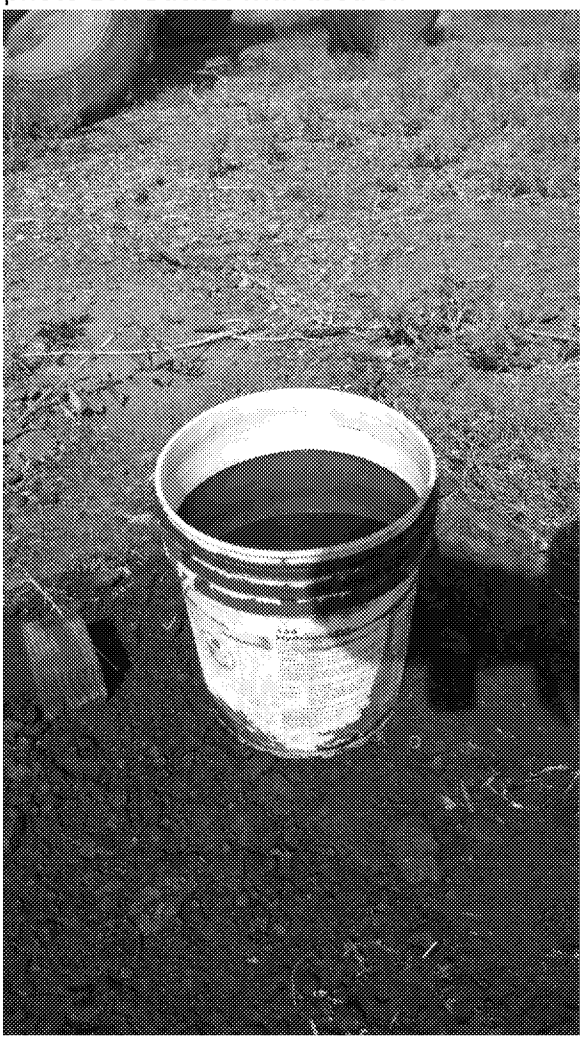

Photo 18: Detail : bucket labeled "Hydraulic oil"

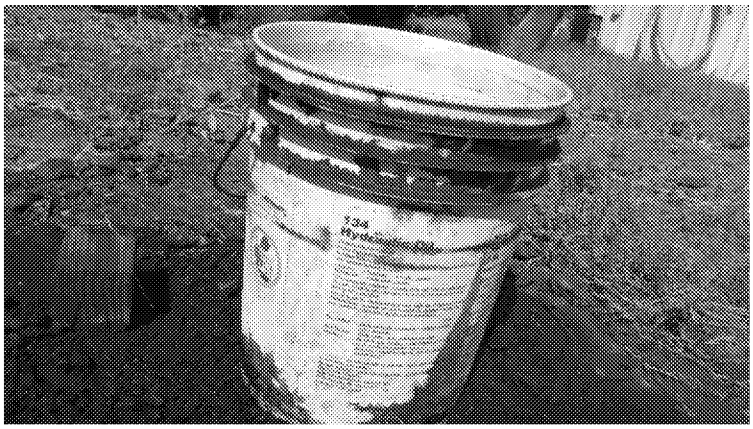

Photo 19: Maintenance area detail of photo 16: Improper storage of battery

Photo 20: Maintenance area detail of photo 16: Improper storage of used oil pan with several inches of oil accumulation.

Photo 21: Maintenance area detail of photo 16: Storage of unknown materials at southwest corner of maintenance shed.

Photo 22: Maintenance Area detail of photo 16: active leak from truck engine

Photo 23: improper chemical storage.

Photo 24: Detail of photo 23: Improper chemical storage, detail label "formaldehyde". Barrel was open, approximately one half full of liquid.

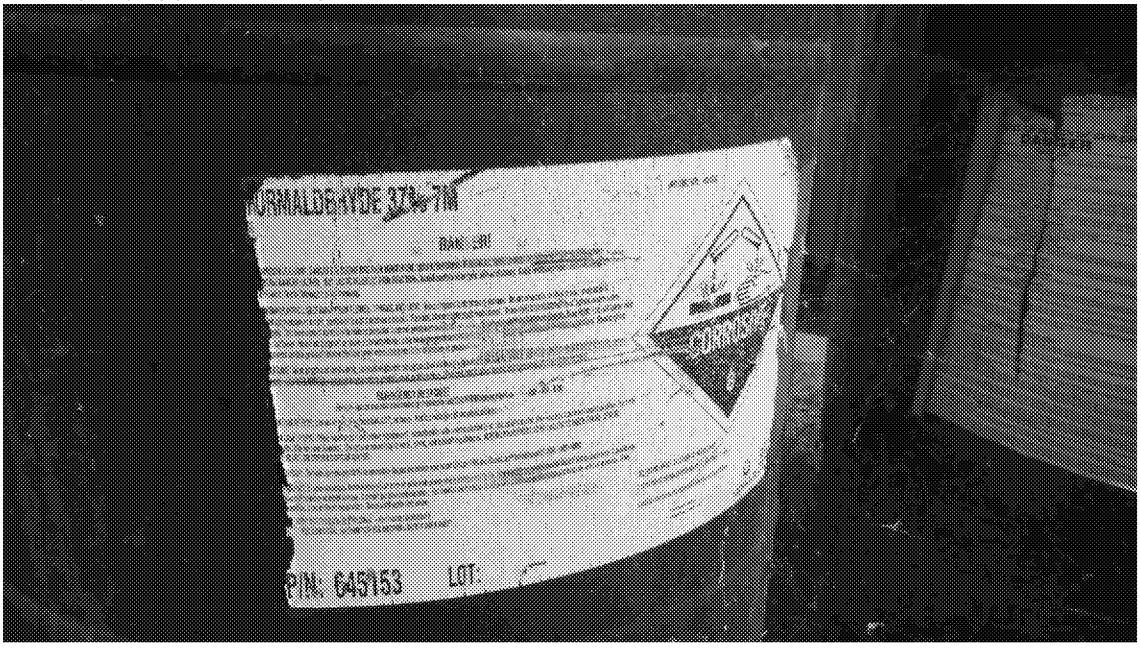

Photo 25: Detail of photo 23: improper chemical storage, detail of label. Label is partially unreadable, but appears to be "sodium hypochlorite" brand name "HASACHLOR". Barrel was approximately one half full of liquid.

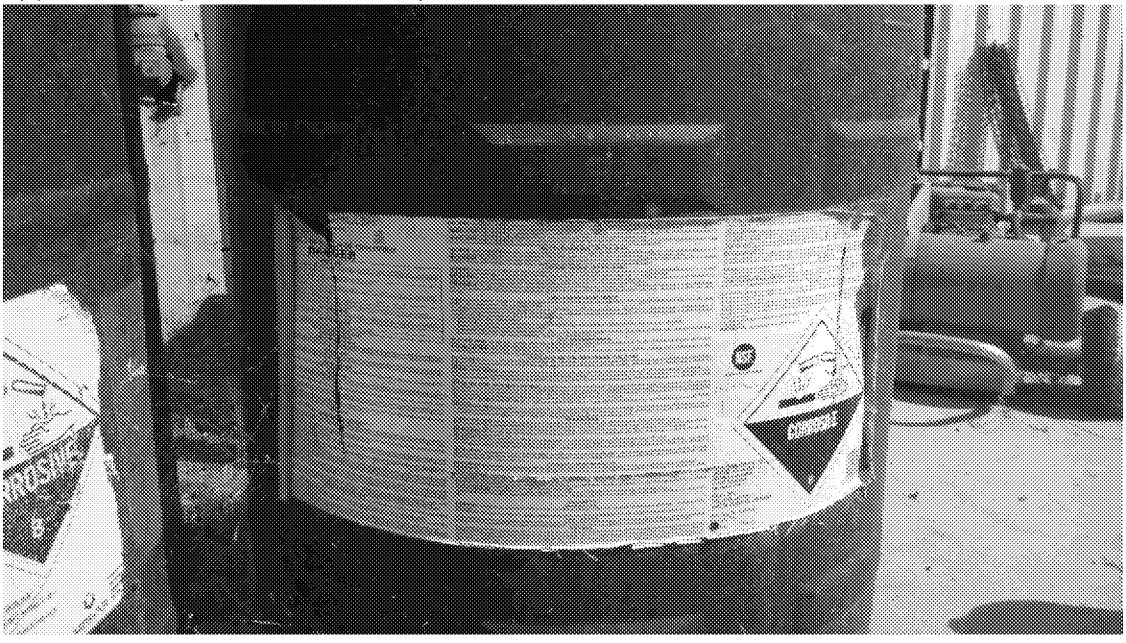

Photo 26: Maintenance area – material storage and used tires disposal.

Photo 27: area of mixing feed.

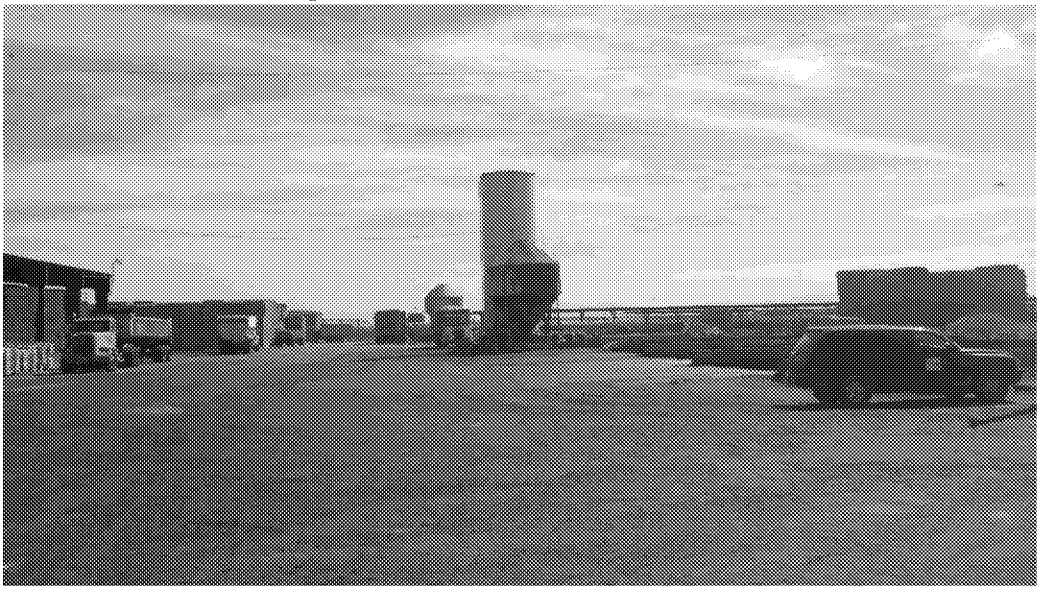

Photo 28: area of mixing feed.